

**UNITED STATES DISTRICT COURT**

## EASTERN DISTRICT OF TEXAS

CARL G. NETTLES,

Petitioner,

*versus*

WARDEN, FCI BEAUMONT CAMP,

Respondent.



CIVIL ACTION NO. 1:22-CV-186

**MEMORANDUM ORDER ADOPTING  
THE MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION**

Petitioner Carl G. Nettles, proceeding *pro se*, filed this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. The court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court.

The respondent filed a motion for summary judgment. The Magistrate Judge has submitted a Report and Recommendation of United States Magistrate Judge concerning the motion. The Magistrate Judge recommends the motion be granted and the petition dismissed pursuant to Federal Rule of Civil Procedure 56.

The court has received the Report and Recommendation of United States Magistrate Judge, along with the record, pleadings, and all available evidence. No objections were filed to the Report and Recommendation.<sup>1</sup>

## ORDER

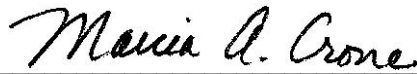
Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge (#6) is **ADOPTED**. The motion for summary

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The Report and Recommendation concluded summary judgment should be granted because petitioner failed to exhaust his administrative remedies. Two days after the Report was submitted, petitioner filed an amended petition. The amended petition cites a recent decision petitioner asserts supports his request for relief, but makes no references to exhaustion. As a result, the court does not believe the amended petition should be considered objections to the Report and Recommendation.

judgment (#5) is **GRANTED**. A final judgment shall be entered dismissing the petition in accordance with the recommendation of the Magistrate Judge.

SIGNED at Beaumont, Texas, this 17th day of November, 2022.

A handwritten signature in black ink, reading "Marcia A. Crone". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE